

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID LEE NELSON,

Defendant.

No. 4:21-cr-00463-RWS-NCC

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, the United States Attorney for the Eastern District of Missouri, and Robert F. Livergood, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with:
 - (a) an offense for which a maximum term of imprisonment of ten years or more is prescribed
 - (b) an offense involving a minor victim, specifically Title 18, United States Code, Section, 2251 (sexual exploitation of children)
2. Accordingly, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will

reasonably assure the appearance of the defendant as required, and the safety of any other person and the community.

3. Defendant is a threat to the community. Defendant knowingly employed, used, persuaded, induced, or enticed three minor victims to engage in sexually explicit conduct. He recorded the victims in lascivious displays of their genitals and said sexually explicit conduct was for the purpose of producing visual depictions of such conduct.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
UNITED STATES ATTORNEY

/s/ Robert F. Livergood

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